

## AMENDMENT TO CLAIMS

## WE CLAIM:

- 5           1. (currently amended)     A method of producing a genetically-modified *Compositae* plant ~~in which the expression of the modified gene has a reduced tendency to silencing,~~ which comprises transforming the plant, said plant selected from a group of *Compositae* plants,  
10 consisting of sunflower and lettuce, with a ~~heterologous~~ DNA construct including a DNA sequence ~~adapted~~ to express RNA in the plant under the control of the actin2 (ACT2) gene promoter derived from *Arabidopsis thaliana*.
- 15       2. (cancelled) ~~A method as claimed in claim 1 in which the ACT2 gene promoter is derived from *Arabidopsis thaliana*.~~
- 20       3. (currently amended) A method as claimed in claim 1 ~~claim 2~~ in which the ACT2 gene promoter has ~~substantially~~ the sequence shown in ~~Figure 3.~~ Seq. ID. No. 1.
- 25       4. (previously presented) A method as claimed in claim 1 in which the RNA to be expressed in the plant codes for the production of a heterologous protein.
- 30       5. (previously presented) A method as claimed in claim 1 in which the RNA to be expressed in the plant codes for the production of a homologous protein.
6. (previously presented) A method as claimed in claim 1 in which the RNA to be expressed in the plant inhibits the production of a homologous protein.

7. (currently amended) A method as claimed in claim 6 in which the RNA to be expressed in the plant is antisense to DNA coding for said a homologous protein.
- 5 8. ((previously presented) A method as claimed in [any of] claim[s] 1[-7] in which the plant is lettuce or sunflower.
9. (currently amended) Genetically-modified *Compositae*  
 10 plant cells ~~that may be~~ produced by the process of claim 1, said plant formed of plant cells, said at least some of said plant cells comprising a ~~heterologous~~ DNA construct including a DNA sequence ~~adapted~~ to express RNA in the plant under the control of the actin2 (ACT2) gene  
 15 promoter.
10. (currently amended) A plant cell as claimed in claim 9 wherein said DNA sequence ~~adapted to~~ expresses RNA that produces recombinant heterologous protein in the cell.
- 20 11. (previously presented) A plant cell as claimed in claim 10 in which the heterologous protein is an insecticidal, fungicidal or antiviral protein or one conferring herbicide resistance.
- 25 12. (currently amended) A plant cell as claimed in claim 11 wherein ~~in which~~ the DNA construct includes ~~is adapted to express~~ the oxox gene.
- 30 13. (currently amended) A plant cell as claimed in claim 9 wherein said DNA sequence ~~adapted to~~ expresses RNA that produces recombinant homologous protein in the cell.

14 . (currently amended) A plant cell as claimed in claim  
9 wherein said DNA sequence adapted to expresses that  
inhibits the production of a homologous protein.

5 (cancelled)15. ~~A plant cell as claimed in claim 12 in  
which the RNA to be expressed in the plant is antisense  
to DNA coding for a homologous protein.~~

16. (currently amended) A method according to claim 1  
10 wherein the vector construct useful in the process of  
~~claim 1 which~~ comprises a DNA construct including a DNA  
sequence adapted to express RNA in a plant under the  
control of the actin2 (ACT2) gene promoter, the DNA  
sequence comprising the gus gene or the oxox gene.

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17. (previously presented) *Compositae* plants comprising  
cells claimed in claim 9.

18. (previously presented) Plants as claimed in claim 17  
20 which are lettuce.

19. (previously presented) Plants as claimed in claim 17  
which are sunflower.

25 20. (currently amended) A plant claimed in claim 17 which  
~~is adapted to expresses~~ the oxox gene and is resistant to  
sclerotinia.

21. (currently amended) A plant claimed in claim 17 which  
30 ~~is adapted to express~~ expresses a heterologous gene  
conferring herbicide resistance.